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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,970	12/09/2003	Allen K. Hawley	SVL920030037US1	6431
47069 7590 08/10/2007 KONRAD RAYNES & VICTOR, LLP ATTN: IBM54 315 SOUTH BEVERLY DRIVE, SUITE 210 BEVERLY HILLS, CA 90212			EXAMINER WEI, ZHENG	
			ART UNIT 2192	PAPER NUMBER
			MAIL DATE 08/10/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/731,970

Applicant(s)

HAWLEY ET AL.

Examiner

Zheng Wei

Art Unit

2192

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Remarks***

1. This office action is in response to the amendment filed on 05/09/2007.
2. Claims 1, 4, 7, 10, 13 and 16 have been amended.
3. The objection to specification is withdrawn in view of the Applicant's amendment about cross-reference information.
4. The objection to claims 4, 10 and 16 is withdrawn in view of the Applicant's amended claims
5. The U.S.C. §101 rejection to claims 13-18 is withdrawn in view of the Applicant's amended the independent claim 13 to add computer hardware components.
6. Claims 1-18 remain pending and have been examined.

### ***Response to Arguments***

7. Applicant's arguments filed on 05/09/2007, in particular on pages 7-9, have been fully considered but they are not persuasive. For example:
  - At page 7, first paragraph, the Applicants argue that "NPL document" listed on the Form 1449 has been provided. However, the referred NPL document's title and page numbers are different from IDS (form 1449). The title of Applicant provided document is "Java Development User Guide – Getting Started" with pages 1-53 and the title of IDS disclosed prior art is "Eclipse project Java Development User Guide" from pages 9-12. Therefore, the

information referred to IDS filed on 12/09/2003 is not consistent and thus is not considered.

- At page 8, second paragraph, the Applicants submit that the claims 1, 7 and 13 have been amended to add the requirements to require that a partial program instruction is parsed into tokens; determining whether the tokens match one of plurality of syntax statements; moving a cursor positioned on one of the tokens for which the match is determined to a following token in response to determining that the token matches one of the syntax statement; and in response to determining that the token on which the cursor is positioned does not match one of the syntax statements; proposals are generated. Therefore, the applicants believe that these added limitations distinguish over the cited Shulman. However, the Examiner respectfully disagrees. As Shulman disclosed at Fig.3 and Fig.4, element 211, the partial program instruction statement "mytext." "mytext.f" have been parsed; and then determining/identifying "mytext" is a defined object name; also at col.8, lines 28-31, discloses that in response to typing the member access separator character 212, generating proposals for the cursor position, "the statement building tool of the present invention determines the set of menu items that correspond to the object type mytext and a selection menu assist window 220 is displayed". Therefore, the Examiner reasserted that Shulman, indeed, also anticipated the amended claimed limitations as addressed above.

Art Unit: 2192

- At page 8, forth paragraph, the Applicants contend that Shulman does not teach the amended claims, as "Nowhere does the cited discussion with respect to step 1331 discloses or mention that a cursor positioned on the token in moved when the parsed token matches a syntax statement and that the proposals are generated in response to determining that the token on which the cursor is positioned does not match one of the syntax statement".

However, the Examiner respectfully disagrees. As Shulman disclosed at Fig.4 and Fig.5, the cursor 212 moves from "mytext." To "mytext.Font.", because token "mytext" or "Font" is a defined object name (Matching one of a plurality of syntax statement) and in fig.4, "mytext.f" does not match existing syntax statements, an assist window with proposed words starting with "f" is displayed. Therefore, Shulman does also disclose all the amended claimed limitation. Thus , argument is moot and not persuasive.

### ***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 2192

9. Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by

Shulman (Shulman et al., US 6,026,233)

**Claim 1:**

Shulman discloses an article of manufacture for use in a computer system for providing assistance to a programmer writing computer programming code, said assistance comprising suggested candidates responsive to a parsing of a partial program instruction statement, said article of manufacture comprising a computer-useable storage medium having a computer program embodied in said medium which causes the computer system to execute operations comprising:

- parsing a partial program instruction statement into tokens (see for example, Fig.13A, steps 1331, 1331, "Parse Program Statement Into Tokens" and related text);
- determining whether the tokens match one of a plurality of syntax statements (see for example, Fig.13A, step 1334, "Locate Procedure ID Token" and related text; also see col.17, lines 19-25, "examining each token in the token list");
- moving a cursor positioned on one of the tokens for which the match is determined to a following token in response to determining that the token matches one of the syntax statement (see for example, Fig.13A, step 1336 and step 1338 "Generate Assist Window For List or Constant Value" and related text; also see fig.4 and Fig.5 about element 202 (cursor position));

- in response to determining that the token on which the cursor is positioned does not match one of the syntax statement, generating proposals from the cursor position (see for example, Fig.13B steps 1337 and 1370 and related text; also see col.17, lines 40-45, “the present argument token is not a symbol or other object entity that can be resolved, the processing continues at step 1370 because a default informational menu assist window that contains the procedure call argument list is all that can be displayed(proposal)); and
- providing proposals to append to the partial program instruction statement to a user responsive to both the parsing of the program and the parsing of the partial program instruction statement (see for example, Fig.5, elements 510 and 210 and related text, selected proposal (font) has been appended to partial program (mytext));

**Claim 2:**

Shulman further discloses the article of manufacture of claim 1 wherein the method further comprises: proposing an identified variable as a proposal responsive to a verb of the partial program instruction statement (see for example, Fig.13B, step 1355, “Determine Object Type and Member Return Type”, step 1357 “Generate Assist Window with Member List” and related text).

**Claim 3:**

Shulman also discloses the article of manufacture of claim 1 wherein the method further comprises: proposing an identified variable as a proposal responsive to a variable type of the variable (see for example, col.4, lines46-48, "assist window includes any finite list of previously declared entities and/or entity type", also see Fig.13B, step 1355, "Determine Object Type and Member Return Type")

**Claim 4:**

Shulman also disclose the article of manufacture of claim 1 wherein the method further comprises: proposing an identified variable as a proposal responsive to a verb of the partial program instruction statement (see for example, Fig.13B, step 1355, "Determine Object Type and Member Return Type", step 1357 "Generate Assist Window with Member List" and related text) or responsive to a variable type of the variable (see for example, col.4, lines46-48, "assist window includes any finite list of previously declared entities and/or entity type", also see Fig.13B, step 1355, "Determine Object Type and Member Return Type").

**Claim 5:**

Shulman further discloses the article of manufacture of claim 1 wherein the method further comprises: proposing an identified variable as a proposal responsive to a portion of the program containing the partial program instruction statement (see for example, Fig.7, element 740 and related text for proposing an previous declared variable for the procedure "MyProc")



**Claim 6:**

Shulman also discloses the article of manufacture of claim 1 wherein the parsing of the program and the parsing of the partial program instruction statement are performed according to a user-selected programming language dependent file selected from a plurality of programming language dependent files (see for example, col.5, lines 44-46, "local program definition", "global library definition", also see, col.7, lines 6-9, "the present invention can be implemented within any programming language")

**Claims 7-12:**

Claims 7-12 are the exactly the same methods that are used by claimed article of manufacture for providing assistance to a programmer writing computer programming code as addressed in claims 1-6 above respectively. Therefore, as all claimed limitations have been address and/or set forth and the references teach all the limitations of claims 1-6, they also anticipate the claims 7-12 (see for example, col.19, line29 –col.20, line 26).

***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2192

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 13-18 rejected under 35 U.S.C. 103(a) as being unpatentable over Shulman (Shulman et al., US 6,026,233)

**Claims 13-18:**

Claims 13-18 are computer system version of the claimed article of manufacture, wherein all claimed limitation for providing a code assist function have been addressed and/or set forth in claims 1-6 above respectively. Therefore they also would have been obvious in view of Shulman's teachings. (see for example, Fig.1 computer system and related text, and also see col.5, lines 56-67, description of hardware system for generating statement).

***Conclusion***

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
13. Applicant's arguments with respect to claims rejection have been considered but are moot in view of the new grounds of rejection.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


Art Unit: 2192

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zheng Wei whose telephone number is (571) 270-1059 and Fax number is (571) 270-02059. The examiner can normally be reached on Monday-Thursday 8:00-15:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on (571) 272-3695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature of relating to the status of this application or proceeding should be directed to the TC 2100 Group receptionist whose telephone number is 571- 272-1000.



**TUAN DAM**  
SUPERVISORY PATENT EXAMINER